

# Exhibit 2

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK; et al.,

Plaintiffs,

v.

C.A. No. 1:25-cv-00039-JJM-PAS

DONALD TRUMP, in his official capacity as  
President of the United States; et al.,

Defendants.

**DECLARATION OF ERIN MCMAHON**

I, Erin McMahon, declare as follows:

1. I am a resident of the State of Oregon. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.
2. I am the Director of the Oregon Department of Emergency Management (OEM).
3. As noted in my previous declaration, I oversee emergency management and homeland security services for the State of Oregon, including disbursing federal funds for emergency management and homeland security needs statewide. Federal funding plays a critical role in state-level emergency management by providing financial support to help the state and local jurisdictions prepare for, respond to, and recover from disasters. The Federal Emergency Management Agency (FEMA) is the primary agency responsible for providing this support.

4. FEMA funds and OEM manages state and local emergency preparedness and hazard mitigation projects. FEMA also reimburses state and local agencies and some nonprofits for the cost of disaster response and recovery in presidentially-declared disasters.

5. Oregon's emergency management system as built out over decades has relied on funding from FEMA. This funding facilitates communication and coordination between the federal government, state governments and local governments, a critical element of Oregon's emergency response plans.

6. OEM currently administers 29 separate FEMA grants or lines of federal disaster assistance that FEMA has effectively frozen. These grants fund activities including disaster preparedness, disaster response and mitigation, and recovery planning and training. There have been delays in reimbursement to Oregon and to local partners for losses experienced during major disasters, delaying recovery efforts and reimbursement for critical infrastructure repair and other essential recovery activities. There have also been delays in obligating subrecipient projects so that losses incurred during a declared disaster can be recovered in a timely way. On information and belief, OEM is not the only Oregon agency with FEMA grants that are currently frozen. I understand both the Oregon Water Resources Department and the Oregon Department of Geology and Mineral Industries have been unable to draw funds on multiple FEMA grants as well, including High Hazard Potential Dam grants.

7. The awarded FEMA grants and lines of disaster assistance from which OEM is currently unable to draw funds include the following:

- a. Public Assistance Grants along eight federal lines of disaster assistance for disasters including severe winter storms, flooding, mudslides, landslides, wildfires, and COVID-19

- b. Flood Mitigation Assistance fiscal year (FY) 2021 and 2023 grants
- c. Seven Hazard Mitigation Grant Program grants
- d. Building Resilient Infrastructure and Communities grants for fiscal years 2021, 2022, and 2023
- e. Pre-Disaster Mitigation Competitive Grant Program FY 2018 grant
- f. Cooperating Technical Partners (RiskMAP Program) FY 2022 grant
- g. Legislative Pre-Disaster Mitigation grants, for fiscal years 2022 and 2024
- h. Two Emergency Management Performance Grant Program grants
- i. Emergency Operations Center Grant Program FY 2022 and 2023 grant
- j. Four Homeland Security Grant Program grants
- k. Two Nonprofit Security Grant Program grants
- l. Two Individual State Earthquake Assistance grants
- m. State and Local Cybersecurity Grant Program FY 2022 grant

8. Public Assistance grants are used to help communities recover from disasters that have impacted Oregon over the last several years. At this time over \$120 Million in public assistance grant dollars are frozen – these dollars need to be put back into the communities to support recovery efforts.

9. All the federal funding committed to OEM in these programs supports critical services in Oregon. For example, the Emergency Management Performance Grant (EMPG) supports state, tribal, and local emergency management services. OEM distributes 80% of EMPG grant funds to local agencies (35 counties, 7 cities, and 7 tribal nations for FY24). Emergency management systems in rural areas of Oregon rely particularly heavily on these

federal grant funds. These funds specifically support OEM staff and local emergency manager personnel costs to support emergency response, planning, training and exercises and more.

10. The Hazard Mitigation Grant Program funds support specific projects designed to mitigate disasters such as earthquakes, flooding, tsunami, and wildfires. Hazard Mitigation Grant Program also funds natural hazard mitigation plans which are required to be FEMA approved and locally adopted for federal funding. For example, the Building Resilient Infrastructure and Communities FY 2022 grant program has approximately \$120 Million in proposed projects that harden critical infrastructure such as Grants Pass's Water Treatment facility, Columbia Memorial Hospital's (Astoria) tsunami vertical evacuation structure, and the State of Oregon's natural hazard mitigation plan.

11. The Flood Mitigation Assistance grant funds help to purchase properties that are severe repeated losses during flood events. These property acquisitions remove people from the dangers of flooding and return the property back to its natural state. Flooding is the most predictable of all natural hazards. Flood Mitigation Assistance grants also fund flood and other water inundation studies to protect communities.

12. The Homeland Security Grant Program, Nonprofit Security Grant Program and the State Local Cybersecurity Grant Program provide funds to state, local, and tribal governments and nonprofits to prevent, protect against, prepare for, and respond to terrorist or other extremist acts. Funded projects include physical security improvements, cybersecurity enhancements, and emergency equipment and preparation activities.

13. The Emergency Operations Center Grant Program provides funds to improve emergency management and preparedness capabilities by supporting flexible, sustainable,

secure, strategically located, and fully interoperable emergency operations centers to be used in times of crisis.

14. The Individual State Earthquake Assistance funds efforts to enhance and implement earthquake risk reduction at the state and local level.

15. FEMA's Cooperative Technical Partners (CTP) grant funds Oregon's RiskMAP program. This program is a community collaborator to map, assess, and plan for identified risks throughout the state. This funding includes staff salary and travel expenses.

16. FEMA uses three separate payment platforms to track and fund its grants and federal assistance—PARS, FEMAGO, and PMS. OEM's general practice in drawing federal funds has been to draw funds once per week. FEMA has in the past typically provided requested funds within three business days.

17. OEM has several grants on the FEMAGO platform that are paused. FEMA, through that platform, currently allows only one funding request to be made on a grant or line of federal assistance at a time, and each such funding request is reportedly subject to a 30-day review. On its FEMAGO grants, OEM has been unable to draw any funds since February 20, 2025. And OEM and its local partners have continued to incur costs for which OEM is unable to even request payment on the FEMAGO platform.

18. Many of OEM's FEMA grants are hosted on the PARS platform. That platform shows that every such FEMA grant is on hold as of March 7. OEM has been unable to draw funds from any PARS-hosted grant since February 20, 2025.

19. Multiple of OEM's paused FEMA grants are hosted on the PMS platform. On that platform, OEM is able to submit payment requests to the queue and has done so. But requests

have not been paid since February 20, 2025. These grants are all reportedly on a 30-day FEMA review.

20. OEM has requested payment from FEMA on most of its paused grants but has not received payment from FEMA for more than 30 days. OEM has received no federal FEMA funds since February 20. OEM is waiting on approximately \$129.4 million in federal funds, including \$129.2 million in funding for subrecipients such as cities, counties, and tribal governments and \$200K for OEM staff and administrative costs.

21. The unavailability of committed FEMA funds has created significant uncertainty and risk for emergency management in Oregon. OEM funding operates on a reimbursement model. OEM expends funds and only after expending funds does it seek federal reimbursement. OEM has been able to continue its service delivery to date, but OEM cannot continue to do so indefinitely without the receipt of committed federal funds. FEMA's funding pause has caused OEM to be unable to process reimbursements to its local partners in a timely way, which creates challenges for those local entities as well.

22. As one example, the Emergency Management Performance Grant quarter closes March 31. OEM does not have funds to cover the costs of these services without receipt of FEMA funding. We are and will continue to be unable to reimburse local emergency management programs in which salaries are funded by these FEMA grant funds.

23. At OEM and county, city and tribal level, EMPG and other preparedness grants fund:

- a. Coordinating local, state and interstate emergency response resources to address life-safety needs.

- b. Updating emergency operations plans and associated annexes that provides the framework and outlines roles and responsibilities of jurisdictions and agencies to respond to emergencies.
- c. Maintaining the auxiliary communications systems utilized by the state emergency coordination center and local Emergency Operations Centers to ensure resilient communication with tribal, local, state, and federal emergency response personnel.
- d. Conducting training and exercises to ensure emergency managers and whole community partners are able to fulfill their roles in response and recovery operations to address disaster impacts ensuring direct and immediate support to victims in our next disaster.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 24, 2025, at Washington, DC.



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Erin McMahon, Director